

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

HENRY NOAH JORDEN and	)	
LARENA M. JORDEN,	)	
	)	
Plaintiffs	)	
	)	
v.	)	Case No. 21-CV-00060-JWD
	)	
BRADLEY E. KUYKENDALL and	)	
MARVIN WINDOWS OF	)	
TENNESSEE, LLC,	)	
	)	
Defendants.	)	

**ORDER**

Before the Court is Defendant Marvin Windows of Tennessee, LLC’s Motion to Dismiss (“Motion”) filed on March 5, 2021. [Doc. No. 8]. On May 5, 2021, the Court ordered Plaintiffs to file an amended complaint in this removed action pursuant to Federal Rule of Civil Procedure 81(c)(2). [Doc. No. 23]. On May 13, 2021, Plaintiffs filed a Third Amended Complaint against Defendants. [Doc. No. 24].

Plaintiffs’ Third Amended Complaint “supersedes the original and renders it of no legal effect.” *Davis v. TXO Prod. Corp.*, 929 F.2d 1515, 1517 (10th Cir. 1991); *see Predator Int’l, Inc. v. Gamo Outdoor USA, Inc.*, 793 F.3d 1177, 1180–81 (10th Cir. 2015); *Mink v. Suthers*, 482 F.3d 1244, 1254 (10th Cir. 2007). Thus, the Motion is moot.

Accordingly, the Court DENIES Marvin Windows of Tennessee, LLC’s Motion to Dismiss [Doc. No. 8] as moot and without prejudice.

IT IS SO ORDERED this 14th day of May 2021.

A handwritten signature in black ink, appearing to read "Jodi W. Dishman", is written over a horizontal line.

JODI W. DISHMAN  
UNITED STATES DISTRICT JUDGE